



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : J. Stuart Cumming
Appl. No. : 09/574,441
Filing Date : 05/19/2000
Title : LENS ASSEMBLY FOR DEPTH OF FOCUS
Group Art Unit : 3738
Examiner : David H. Willse
Docket No. : 13533.4024

Confirmation No. 8630

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

ELECTION

Sir:

In response to the Examiner's letter of November 19, 2003, applicant elects the Species I comprising Figures 1-8, 10 and 12. The Examiner did not mention Figure 10, but it is a sectional view of Figure 5.

The claims readable on the elected species are claims 1-8, 12-19, 23, 25-26, 39, 47-48 and 50-51. Claims 1-4, 8 and 50-51 are generic.

It is noted that claims 9-11, 20-22, 24, 30, 36 and 38 are no longer in this application, having either been rewritten in independent form according to the previous amendment or cancelled.

It is respectfully submitted that the claims to the elected species are all patentable over the prior art.

CERTIFICATE OF MAILING 37 CFR §1.8

I hereby certify that I have reasonable basis to expect that that this paper or fee (along with any referred to as being attached or enclosed) would be mailed or transmitted on or before the date indicated with the U.S. Postal Service with sufficient postage as first class mail on the date shown below in an envelope addressed to Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

Date of Deposit: January 28, 2004

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Karen Johnson
Karen Johnson

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A notice of allowance is earnestly solicited.

Respectfully submitted,

Orrick, Herrington & Sutcliffe LLP

Dated: January 28, 2004

By: 

Samuel B. Stone
Reg. No. 19,297

Orrick, Herrington & Sutcliffe LLP
4 Park Plaza, Suite 1600
Irvine, CA 92614-2558
Tel. 949-567-6700
Fax: 949-567-6710
Customer Number: 34313